

Noise Waiver Determination

Applicant: Carr Properties
Application Date: February 17, 2018
Address of Activity: 7272 Wisconsin Avenue
Proposed Activity: Nighttime caisson installation and soil excavation. See noise waiver application for detailed description of work.
Link to Application: [7272 Wisconsin Ave Noise Waiver Application Documents](#)

Justification Provided by Applicant for Waiver Request:

1. The Bethesda Purple Line Station, and the South entrance of the Bethesda Metro Station, will be located beneath the new building being constructed at this site. Carr Properties' agreement with the Maryland Transit Administration (MTA) requires delivery of the station shell in late 2018. Reducing the time to the Purple Line Station shell at the site is critical to meeting this schedule.
2. The demolition of the Apex building was recently completed. This included nighttime demolition work during which DEP received very few complaints, and these complaints were related to an unintended collapse of several localized floors of the structure adjacent to Wisconsin Ave. The applicant has demonstrated that noise suppression methods used during the demolition were effective at minimizing noise to nearby receptors.
3. The applicant's acoustical consultant is predicting noise levels will be 10-20 dBA less for this phase of project as most of the work closest to sensitive receptors will occur 15-20 feet below grade. This will allow Wisconsin Ave. to act as a noise barrier. Also, an approximate 8' high above grade noise barrier fences will be installed along the east and west borders of the site.

Grant Noise Waiver? Yes, with terms and conditions

Rationale for Decision: Based on demonstrated noise mitigation practices during the demolition of the Apex building, a review of the project plan for the current phase of construction, multiple site visits and conversations with the applicant and potential properties affected by the noise from the project, issuance of the waiver is appropriate with the terms and conditions outlined below.

All nearby residential and hotel buildings were made aware of this pending application and their opportunity to submit comments. An information meeting regarding this phase of the project was conducted by Clark Construction and Carr Properties in Bethesda on 7/27/18. Attendance at this meeting was very sparsely attended by potentially affected neighbors. DEP received one formal comment regarding this noise waiver application, which indicates that neighbors' nighttime noise concerns expressed prior to the demolition did not materialize.

The applicant has demonstrated sufficient public benefit related to this waiver request by the following:

- Decreasing the time required to complete this phase of the project, which will facilitate adherence to a MTA mandated construction schedule for the Purple Line Station mass transit project.
- Reducing the time necessary for closure of two southbound lanes of Wisconsin Ave.
- Reducing pedestrian impacts related to the construction activities.

The Terms and Conditions included in the waiver require regular noise monitoring, and review of the results of the monitoring with DEP. The waiver can be modified or revoked if the results of the monitoring indicate that the noise received by nearby receptors is greater than anticipated.

Terms and Conditions:

1. All on-site machinery utilized for night-time construction activities shall be outfitted with white noise back-up alarms.
2. Fencing with a continuous solid barrier of sound attenuation blankets shall be installed along the east (Wisconsin Ave.) and west (Woodmont Ave.) borders of the site.
3. All reasonable efforts should be made to perform the noisiest activities as early in evening as possible.
4. Machinery shall be equipped with well-maintained and effective mufflers, and moving parts shall be well lubricated to avoid unnecessary noise from squeaking parts. Machinery access doors and hatches should remain closed when the units are in operation and all machinery should be operated at the minimum level necessary to get the job done. Minimize banging, clattering, buzzing and other annoying types of noises.
5. Hauling trucks shall be operated at the minimum power level necessary to complete the task in a safe manner.
6. Slamming of tailgates is prohibited.
7. Noise mitigation barriers should be erected around loud pieces of stationary machinery (e.g., generators, pumps, etc.).
8. Drill rig operators must use caution when drilling holes and removing soil from drill bits as to prevent metal banging. Back-and-forth hammering of the drill bit to remove soil is prohibited.
9. All onsite staff, including delivery and dump truck drivers, should be notified of noise mitigation procedures prior to work.
10. The unnecessary backing of machinery and trucks with traditional tonal backup alarms must be avoided, and the site shall be configured to prevent backing of trucks removing excavated soil during nighttime hours.
11. Where possible, the local power grid should be used to reduce the use of internal combustion powered machinery.
12. Prolonged idling of machinery and vehicles must be avoided. If machinery or vehicles are not utilized for long periods, they should be shut off to reduce idling noise.
13. Regular communications must be provided to nearby residential buildings and hotels, so they are aware of the work schedule and expected noise related to construction activities.

14. Noise levels must be monitored at the agreed upon locations, methods, and duration. The decibel levels and locations of the monitoring sites must be reported to DEP and kept in a log on site, which shall be available for inspection and review upon request.
15. A log must be maintained on site containing detailed information concerning any complaints received regarding noise from this construction project.
16. DEP and Carr (including appropriate subcontractors) will meet as necessary to review the results of noise monitoring, and any specific activities that created, or have the potential to create, specific noise related concerns.
17. DEP may suspend or revoke this approval for any violation of the terms and conditions, and may make modifications to the terms and conditions based on the results of noise monitoring or the noise impact of certain activities.
18. A copy of this Temporary Noise Waiver must be available at the work site.